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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 TERRY BUTLER,

9 Plaintiff,

10 v.

11 BASEM ELSAYED, *et al.*,

12 Defendants.  
13

Case No. C18-0650RSM

ORDER GRANTING PLAINTIFF'S  
MOTION TO FILE SECOND AMENDED  
COMPLAINT

14 THIS MATTER comes before the Court on Plaintiff's Motion For Leave to File Second  
15 Amended Complaint. Dkt. #7. Plaintiff seeks to add an additional Defendant to the Complaint.  
16 *Id.* Defendants have not yet appeared in this action, as it was only recently filed.

17 Federal Rule of Civil Procedure 15(a) governs the amendment of pleadings. Under Rule  
18 15(a)(2), leave to amend should be freely given "when justice so requires." Fed. R. Civ. P.  
19 15(a)(2). The Ninth Circuit has held that leave to amend should be granted with "extreme  
20 liberality." *DCD Programs, LTD. v. Leighton*, 833 F.2d 183, 186 (9th Cir. 1987). The Court  
21 must consider whether the proposed amendment (1) would be futile, (2) is the product of undue  
22 delay, (3) would prejudice the non-moving party, and (4) was brought in bad faith. *Id.* (stating  
23 all four factors). Having reviewed Plaintiff's motion and the early nature of these proceedings,  
24 the Court will allow Plaintiff's filing of a Second Amended Complaint.  
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27 Accordingly, Plaintiff's Motion to Amend (Dkt. #7) is GRANTED. The Clerk SHALL  
28 FILE Plaintiff's Second Amended Complaint, which is attached to his motion.

DATED this 26th day of June, 2018.

A handwritten signature in black ink, appearing to read 'R. Martinez', is positioned above a horizontal line.

RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE